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**David L. Simon, M.D.**

# Fax

**To:** Examiner DWAYNE JONES  
USPTO / ART UNIT 1614

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**Pages:** TEN (10) including this cover  
page

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**Date:** 10/13/2005

**Re:** U.S. Patent Application  
10/628,089

**CC:**

Response to Office Action and  
Preliminary Amendment

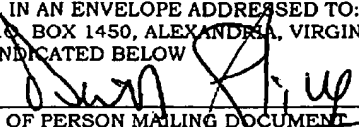
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Application/Control Number: 10/628,089  
Art Unit 1614

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IN THE UNITED STATES PATENT & TRADEMARK OFFICE

In the Application of )

David Lew Simon )

For: "Improved Opioid Pharmaceutical  
Compositions" )

Examiner: Dwayne Jones

Group Art Unit: 1614

Serial No.: 10/628,089 )

Filed: July 25, 2003 )

COMMISSIONER FOR PATENTS  
P.O. BOX 1450  
ALEXANDRIA, VA 22313-1450Response to Office Action**PRELIMINARY AMENDMENT**

Sir:

In response to the Office Action dated and mailed September 16, 2005, averring  
a requirement for election/restriction under 35 U.S.C. 121, this preliminary amendment  
is herein submitted.

Reconsideration and allowance of the above-identified patent application are  
respectfully requested.

Response to Office Action of 9/16/2005  
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